

**DECISION
GRAFTON PLANNING BOARD**

PRELIMINARY PLAN APPROVAL

“NORTH STREET” SUBDIVISION

124 North Street Rear; 73 R Old Westboro Road; 4 R Village Lane; 25 Magnolia Lane

Scott Goddard, Circle Assets, LLC (Applicant)

**Scott Goddard, Circle Assets, LLC; Marybeth Realty Trust; Magnolia Farms Association Trust
(Owners)**

Decision of the Grafton Planning Board (hereinafter the Board) on the petition of Scott Goddard, Circle Assets, LLC (hereinafter the APPLICANT), 291 Main Street, Suite 8, Northborough MA 01532, for Preliminary Plan Approval of a four-lot residential subdivision on property located at 124 North Street Rear (Grafton Assessor's Map 39, Lot 3) owned by Scott Goddard, Circle Assets, LLC by deed recorded at the Worcester District Registry of Deeds, Book 53822, Page 331; 73 R Old Westboro Road (Grafton Assessor's Map 39, Lot 4A) owned by Scott Goddard, Circle Assets, LLC by deed recorded at the Worcester District Registry of Deeds, Book 58956, Page 71; 4 R Village Lane (Grafton Assessor's Map 30, Lot 26A) owned by Nicholas J Chimeno, Trustee, Marybeth Realty Trust, by deed recorded at the Worcester District Registry of Deeds, Book 22261, Page 264; and 25 Magnolia Lane (Grafton Assessor's Map 30, Lot 250) owned by Dennis Labounty & Harry Clough, Magnolia Farms Association Trust, by deed recorded at the Worcester District Registry of Deeds, Book 49791, Page 386.

I. BACKGROUND

The above referenced Application for a Preliminary Plan Approval (hereinafter Application) was submitted on September 14, 2021. Notice of the public meeting and the subject matter thereof was sent to abutters by First Class Mail. The public hearing on the Application was opened on October 4, 2021. Following public input the hearing was closed on January 24, 2022.

The following Board members were present throughout the public meeting: Chairman David Robbins, Vice Chairman Justin Wood, Clerk Linda Hassinger, Members Robert Hassinger, Prabhu Venkataraman, and Associate Member Maura McCormack. At the meeting Vito Colonna of Connorstone Engineering. and the Applicant were present to discuss the Application. At the public hearing, all those wishing to speak to the petition were heard. The record of the proceedings and submissions upon which this decision is based may be referred to in the Office of the Town Clerk or in the Office of the Planning Board.

II. SUBMITTALS

The following items were submitted to the Board for its consideration of this application:

- EXHIBIT 1. Original Application Submission, received September 14, 2021 to include the following:
- a. Application for Approval of a Preliminary Plan, signed by Scott Goddard, dated July 12, 2021, 1 page.
 - b. Certificates of Good Standing, signed by Christine Atchue, dated June 10, 2021, 4 pages.

- c. Abutters Lists for 25 Magnolia Lane, 4 R Village Lane, 73 R Old Westboro Road and 124 North Street Rear, dated September 8, 2021, signed by Cody Herd, Data Collector, 4 pages.
 - d. Letter dated August 10, 2021, from Connorstone Engineering, Inc., to the Planning Board, entitled: "Project Description/Narrative", 1 page.
 - e. Waiver Request Form, 3 pages.
 - f. List of Owners, 15 pages.
- EXHIBIT 2. Plan: "Preliminary Plan of North Street Subdivision, Grafton, MA." dated May 28, 2021, prepared by Connorstone Engineering, Inc., 10 Southwest Cutoff, Suite 7, Northborough, MA 01532, 5 sheets.
- EXHIBIT 3. Public Hearing Notice, stamped by Town Clerk on September 15, 2021, 1 page.
- EXHIBIT 4. Public Comment: Michael Killeen, Fire Department, dated September 29, 2021, 1 page.
- EXHIBIT 5. Public Comment: Paul Cournoyer, Sewer Department, dated October 1, 2021, 1 page.
- EXHIBIT 6. Public Comment: Normand Crepeau, Police Chief, dated October 1, 2021, 1 page.
- EXHIBIT 7. Peer Review: "North Street Subdivision", dated October 4, 2021, prepared by Graves Engineering, Inc. 100 Grove Street, Worcester, MA 01605, 2 pages.
- EXHIBIT 8. Public Comment: Leah Cameron, Conservation, dated October 4, 2021, 1 page.
- EXHIBIT 9. Public Hearing Continuance Request, dated October 5, 2021, signed by Vito Colonna, 1 page.
- EXHIBIT 10. Public Hearing Continuance Request, dated October 25, 2021, signed by Vito Colonna, 1 page.
- EXHIBIT 11. Public Hearing Continuance Request, dated November 8, 2021, signed by Vito Colonna, 1 page.
- EXHIBIT 12. Public Hearing Continuance Request, dated November 22, 2021, signed by Vito Colonna, 1 page.
- EXHIBIT 13. Peer Review: "North Street Subdivision", dated December 10, 2021, prepared by Graves Engineering, Inc. 100 Grove Street, Worcester, MA 01605, 2 pages.
- EXHIBIT 14. Plan: "Preliminary Plan of North Street Subdivision, Grafton, MA." dated May 28, 2021, revised November 3, 2021, prepared by Connorstone Engineering, Inc., 10 Southwest Cutoff, Suite 7, Northborough, MA 01532, 5 sheets.
- EXHIBIT 15. Public Hearing Continuance Request, dated December 13, 2021, signed by Vito Colonna, 1 page.
- EXHIBIT 16. Public Hearing Continuance Request, dated December 14, 2021, signed by Vito Colonna, 1 page.
- EXHIBIT 17. Public Comment: Marvin Simpson, 148 North Street, dated January 5, 2022, 2 pages.

EXHIBIT 18. Peer Review: “North Street Subdivision”, dated January 6, 2022, prepared by Graves Engineering, Inc. 100 Grove Street, Worcester, MA 01605, 3 pages.

EXHIBIT 19. Public Hearing Continuance Request, dated January 10, 2022, signed by Vito Colonna, 1 page.

III. FINDINGS

At their meeting of February 4, 2022, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by [MEMBER], seconded by [MEMBER]) voted [] (X) in favor and [] (X) opposed to make the following Findings:

- F1. That this Application is for Preliminary Plan Approval (Exhibit 1), consisting of four (4) new lots proposed for the construction of new single-family structures.
- F2. That the subject Site is located in a Low Density Residential (R-40) zone as shown on the Plans identified within the EXHIBITS 2 and 14 of this Decision. The site is not located within the Water Supply Protection Overlay District.
- F3. The Applicant proposes lots be supplied by Town Water and Sewer.
- F4. That determinations regarding the following Findings are based upon the plans identified in this Decision, which are preliminary in nature, as well as the materials and information submitted and presented in association with the Application.
- F5. That determinations regarding the following Findings are predicated upon the submission and approval of plans developed substantially as shown on the relevant Plans identified within the EXHIBITS of this Decision, and conform to this Decision and the Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts (revised through 12-13-21, hereinafter Rules and Regulations), except where modified by this Decision, and also conform to all applicable Federal, State and other Local regulations.
- F6. That determinations regarding the following Findings are also predicated upon satisfying all of the conditions stated within this Decision, and any subsequent definitive plan conditions of approval.
- F7. That the submission of the Preliminary Subdivision Plan submitted by the Applicant (EXHIBIT #14) depicts a total of four (4) new lots.
- F8. That the Applicant has not requested waivers from the Subdivision Rules and Regulations (see EXHIBIT #1e).
- F9. That during the public meeting the Board and the Applicant reviewed the existing conditions of the site. The site is approximately 73.2 acres in Grafton.

V. DECISION and CONDITIONS

At their meeting of February 4, 2022, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by [MEMBER], seconded by [MEMBER]) voted [] (X) in favor and [] (X) opposed to **APPROVE/DENY** the

Applicant's application for a Preliminary Plan in accordance with Section 3.2 of the Rules and Regulations with Conditions as noted below.

1. The Board finds that the final Preliminary Plan submitted for consideration (EXHIBIT #14) substantially conformed with the criteria set forth in the Subdivision Rules & Regulations.
2. The Applicant shall be advised of the Graves Engineering Peer Review comments as outlined in EXHIBIT #18 and shall make appropriate revisions prior to submittal of a Definitive Plan.

VII. RECORD OF VOTE

<u>David Robbins, Chairman</u>	<u>AYE/NAY</u>	<u>Robert Hassinger, Member</u>	<u>AYE/NAY</u>
<u>Justin Wood, Vice Chairman</u>	<u>AYE/NAY</u>	<u>Prabhu Venkataraman, Member</u>	<u>AYE/NAY</u>
<u>Linda Hassinger, Clerk</u>	<u>AYE/NAY</u>	<u>Maura McCormack, Assoc. Member</u>	<u>AYE/NAY</u>

DATE OF FILING OF DECISION:

BY ORDER OF THE BOARD

	--/--/2022
_____ Christopher J. McGoldrick, Town Planner	_____ Date

To Whom It May Concern: This is to certify and verify that the twenty (20) days have elapsed since this decision was filed in the Town Clerk's office and that no such appeals have been filed in the reference to the same, or that, if such appeal has been filed, it has been dismissed or denied.

----- Kandy Lavallee, Town Clerk
----- Date

cc:

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|---------------------------|--------------------------|
| • Applicant / Owner | • Graves Engineering |
| • Building Inspector | • Grafton Water District |
| • Assessors | • Board of Health |
| • Conservation Commission | |